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KAARDAL & ASSOCIATES PC
ATTN: IVAR M. KAARDAL
500 SOUTH FIRST AVENUE CIRCLE
SUITE 250
SIOUX FALLS, SD 57105-5802

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APR 29 2005

OFFICE OF PETITIONS

In re Application of :
Earl J. MacLeod :
Application No. 09/910,265 : DECISION GRANTING PETITION
Filed: July 20, 2001 : UNDER 37 CFR 1.137(b)
Attorney Docket No. 21-0134 :

This is a decision on the petition under 37 CFR 1.137(b), filed September 15, 2004, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely pay the issue fee on or before September 30, 2003, as required by the Notice of Allowance and Fee(s) Due, mailed June 30, 2003. A Notice of Abandonment was mailed on November 6, 2003.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of the issue fee payment of \$665; (2) the petition fee of \$665; and (3) the required statement of unintentional delay have been received. Accordingly, the issue fee is accepted as having been unintentionally delayed.

It appears that the petition herein was submitted by applicant. Applicant has appointed a representative to conduct all business before the U.S. Patent and Trademark Office (Office). The Office will not engage in dual correspondence with petitioner and petitioner's representative. Accordingly, petitioner must conduct all future correspondence with this Office through the representative of record. If petitioner no longer wishes to be represented by the representative of record, then a revocation of the power of attorney or authorization of agent must be submitted. A correspondence address must be included on the correspondence instructing the Office where all future communications should be mailed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

This matter is being referred to Publishing Division for processing into a patent.

Handwritten signature of Frances Hicks in cursive script.

Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc:

Earl J. MacLeod
105 Jarvis
Whitehorse Yukon Y1A 2G7